S/N 09/964,385 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark A. Kirkpatrick Examiner: Ramakrishnaiah

Serial No.: 09/964,385 Group Art Unit: 2614

Filed: September 28, 2001 Docket No.: 20009.0043US01(01170)

Title: DEVICE AND METHOD FOR AUGMENTING CELLULAR

TELEPHONE AUDIO SIGNALS

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c)(2)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed SB08 form are brought to the attention of the Examiner.

This statement should be considered because it is submitted after first office action on the merits but before an action closing prosecution. This information disclosure statement is being submitted by the appropriate fee due.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each foreign patent document and non-patent literature listed on the enclosed SB08 form is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Application Number: 09/964,385

Attorney Docket Number: 20009.0043US01(01170)

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached SB08 form, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 503025.

WITHERS & KEYS, LLC P.O. Box 71355 Marietta, GA 30007-1355 678-565-4748 By /Arno T. Naeckel

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